

Appl. No. 09/808,001
Atty. Docket No. 8380L\$/PRGA 0103 PUSP
Amdt. dated 05/29/2007
Reply to Office Action of 11/29/2006
Customer No. 27752

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REMARKS

Claim Status

Claims 1-14, and 76 are pending in the present application. Claims 1, 5, 6, 7, 10, 11, and 76 are amended to expressly indicate that certain operations recited in the claims taking place on "documents". Antecedent basis can be found in the specification at page 8, lines 1 – 21. No new matter is believed to be added.

Claims 15-26 are canceled, without prejudice, in the present Amendment

No additional claims fee is believed to be due.

(1) Rejection Under 35 USC §112, First Paragraph

The Office Action states that Claims 1-14 and 76 are rejected under 35 USC §112, 1st paragraph on the basis that the term "text-based *document* containing information relating to the draft technical standard" or "technical *document*" (*emphasis added*) is critical or essential to the practice of the inventions, but not included in the claims(s).

Claims 1, 5, 6, 7, 10, 11, and 76 have been amended, without prejudice, to include reference to a "document".

In view of the above discussion, it is respectfully asserted that the specification and claims are fully enabled under §112, 1st paragraph.

(2) Rejection Under 35 USC §112, Second Paragraph

The Office Action states that Claims 1-14 and 76 are rejected under 35 USC §112, 2nd paragraph, contending that the specification deals with circulating an electronic draft document related to the draft standard, whereas the claims are directed to circulating a draft "standard".

As discussed above with respect to the §112 1st paragraph rejection, the Claims 1, 5, 6, 7, 10, 11, and 76 have been amended to include a "document".

The Office Action further contends that in Claims 1, 15, and 76 that it is not clear how one can edit/review the draft document if the 3rd step requires "electronically locking the draft copy". The draft technical standard is electronically locked, to ensure that the

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reviewers and approvers cannot modify or change the standard. If they do not approve the standard or add comments that should be included in the standard, the person who is managing the process (for example a requester) can unlock the standard and make modifications. It is only after the standard is approved that it is “permanently” locked – in the lexicography of the present application, this is referred to as rendering the standard “unchangeable”. Once a standard is rendered unchangeable, not even the person managing the process can make any changes to it. This is discussed in the specification at page 9, lines 15-24 and page 10, lines 19-28.

Claim Objections

The Office Action stated that Claims 2-3 were objected to under 37 CFR 1.75(c) on the basis of lack of claim differentiation. It is respectfully asserted that claims 2 and 3 are both differentiated from Claim 1.

Claim 2 narrows claim 1 to specify that the draft technical standard relates to a text based document, wherein structured data attributes are also added to the captured document. Claim 3 further limits the claim to searching the technical standard based on the data-structured attributes. Claims 2 and 3 both include limitations that are not expressly provided or necessarily present in Claim 1.

Rejection Under 35 USC §102

Claim 76 was rejected under 35 USC §102 over Lemble (US Patent 5,315,504. The Office Action states that the interface module operative to elements (a)-(f) carries “no patentable weight since a module is merely a program and it’s incapable of carrying out the claimed steps without connecting to a “server system...”.

Claim 76 claims a computer readable media containing executable program instructions. Software in tangible form, such as in the form of computer readable media, is clearly patentable subject matter. A computer program stored in a computer readable media, is clearly statutory subject matter. Patentable weight must be given to the computer readable instructions contained on the claimed media. It is not required under current law to include additional computer infrastructure elements to a claim directed to a computer readable media. To require such language would amount to requiring the claim be transformed from a computer readable media claim to a system claim – a result that is not required nor directed under current law.

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Further, computer readable media is a subcomponenet of a computer system. It is permitted to claim subcomponents without claiming also all of the additional elements that would be used during the use of a subcomponent. There is no basis in law to require that the additional subcomponenets of a system also be claimed. To require such language would amount to requiring the claim be transformed from a computer readable media claim to a system claim – a result that is not required nor directed under current law. It is respectfully asserted that this is not consistent with either PTO guidelines or current practice.

Claims 15-26 were previously rejected over Lemble. However Claims 15-26 have been canceled without prejudice, as previously indicated, so the rejection of these claims is now rendered moot.

Rejection (1st) Under 35 USC §103(a)

Claim 1-14 and 76 have been rejected under 35 USC §103(a) as being unpatentable over Admitted Prior Art (AAPA) in view of Grainger (US 2002/0111824), and Parks (US 6,596,031 B1). This rejection is traversed.

First, neither AAPA nor Grainger, nor the combination thereof, establish a prima facie case of obviousness. Even if combined, they do not teach or suggest all of the claim limitations of Claim 76.

The present invention includes both “locking” the draft standard and subsequent, distinct step of rendering the draft standard unchangeable. In the first, “locking” step, the draft technical standard electronically locking the draft technical standard after the review group has reviewed the draft technical standard. The locked draft technical standard is circulated to the approval group, the members of which can approve or choose to not approve, and in either case can choose to add comments. Limited persons, typically the originator of the standard or other authorized persons, may “unlock” draft technical standard in their discussion, such as may happen upon review of comments received from members of the approval group. In that case, the originator can modify the draft technical standard (or create a new draft technical standard), which can then be subsequently locked and circulated to the approval group. If the approval group approves the draft technical standard, the draft technical standard can then be rendered “unchangeable”.

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Once it is rendered unchangeable, it cannot be modified or changed by anyone, including the originator.

Grainger has been cited in the Office Action for its disclosure of an electronic document locking system. However Grainger does not teach or suggest the two separate and distinct types of "locking" steps (locking versus "rendering unchangeable") at different phases of an electronic review and approve process or system.

Referring to Grainger paragraph [0070], the system "saves and locks all documents submitted to and received from patent offices so that they cannot be subsequently altered....". According to Grainger paragraph [130], "anytime edits are made to a draft patent application ..., a new version of the application is created and the old version is locked and saved for archival purposes." In neither instance is it suggested that the locking step would or should be able to be unlockable. To the contrary, maintaining documents submitted to or received from a patent office without modification is a clear and logical need. Similarly, draft patent applications or other documents saved for archival purposes should clearly and obviously be maintained without possibility of modification.

Thus, Grainger does not disclose electronically locking in a manner that allows the document (or a technical standard) to be unlocked. Further, Grainger does not disclose a locking scheme involving a combination of a first locking scheme wherein the document (or in the case of the present invention, a technical standard) can be unlocked with a second locking scheme wherein the document (or standard) is rendered unchangeable.

Additionally, Grainger and the present invention relate to distinctly different types of methods and systems. Grainger relates to a document management system wherein maintaining archive quality records of stores and/or generated documents is the objective. The present invention relates to a method and a system for managing the review and approval of technical standards.

AAPA also does not disclose an electronic specification or standards management process including the multiple steps of locking the standard for an earlier review and rendering the standard unchangeable subsequent to a later review. The AAPA disclosure on the present application's Background of the Invention section (page 1, lines 18-22)

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states that: "...each standard has its own lifecycle beginning with a draft. This draft may be created from scratch or may be formed by modifying an existing standard. Typically, the standard is then circulated for review and comments. The standard must then be approved before being released for general use."

There is no suggestion in either AAPA or Grainger to modify the locking systems of Grainger and apply them to a technical standard review and approve method (or system) in a manner to provide both "electronic locking" and "rendering unchangeable" steps for the technical standard at different points of the process.

In view of the above remarks, it is respectfully asserted that the combination of AAPA with Grainger does not teach or suggest the elements of the claimed inventions and that the claimed invention is therefore unobvious, and patentable, over the pending rejection.

Parks is not addressed because the patent number, publication number, or other publication information is not identified. It is noted that another reference is listed in the Notice of References cited dated 3/22/06 (US 2002/0083079 A1 – Meier et al.) which does not appear to correspond in name of content to the rejection based on Parks. Identification of publication information for the Parks reference along with an opportunity to respond are requested in the event that the present obviousness rejection is to be maintained.

Rejection (2nd) Under 35 USC §103(a)

Claim 1-14 and 76 have been rejected under 35 USC §103(a) as being unpatentable over Admitted Prior Art (AAPA) in view of Grainger (US 2002/0111824), Jeffrey et al. (US Patent 6,957,384 B1) and Parks [publication information missing]. This rejection is traversed for the same reasons stated above with respect to the first obviousness rejection.

In addition, Jeffrey has been cited to teach the automatic attachment of comment/attachments to a draft document, and for further communication and "EDIT" function in the heading region to allow editing capabilities to alter information in the document (col. 13, lines 47-67 and col. 14, lines 1-7, and Figure 26).

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However Jeffery contains no teaching with respect to the failings of AAPA and Grainger with respect to steps of the present invention including: circulating a draft standard, electronically locking the standard, electronically circulating the locked draft standard, collecting electronic approvals, and rendering the approved standard unchangeable.

Conclusion

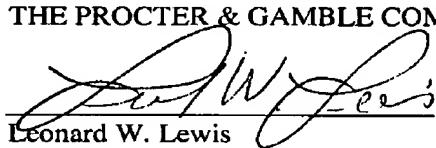
In light of the above remarks, it is requested that the Examiner reconsider and withdraw the pending rejections and objections. Favorable action in the case is respectfully requested.

This response represents an earnest effort to place the application in proper form and to distinguish the invention as now claimed from the applied references. In view of the foregoing, reconsideration of this application, entry of the amendments presented herein, and allowance of Claims 1-14 and 76 is respectfully requested.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

By


Leonard W. Lewis
Registration No. 30,769
(513) 634-5649

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Customer No. 27752